

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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OREN PETERS,

Plaintiff,

Case No. 3:21-CV-0388-MMD-CLB

REPORT AND RECOMMENDATION OF U.S. MAGISTRATE JUDGE¹

v.

CALIFORNIA SOCIALWORKERS OF SAN MATEO,

Defendant.

On August 27, 2021, Plaintiff Oren Peters (“Peters”) submitted a complaint but neither paid the \$402 filing fee nor filed an application to proceed *in forma pauperis*. (ECF No. 1-1.) Peters was ordered to either pay the filing fee or file an application to proceed *in forma pauperis* on or before Friday, September 24, 2021. (ECF No. 3.) Plaintiff failed to do either. Therefore, it is recommended that this action be dismissed without prejudice for failure to pay the filing fee or file a an application to proceed *in forma pauperis*.

The parties are advised:

1. Pursuant to 28 U.S.C. § 636(b)(1)(c) and Rule IB 3-2 of the Local Rules of Practice, the parties may file specific written objections to this Report and Recommendation within fourteen days of receipt. These objections should be entitled "Objections to Magistrate Judge's Report and Recommendation" and should be accompanied by points and authorities for consideration by the District Court.

2. This Report and Recommendation is not an appealable order and any notice of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District Court's judgment.

¹ This Report and Recommendation is made to the Honorable Miranda M. Du, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and LR 1B 1-4.

IT IS THEREFORE RECOMMENDED that this action be **DISMISSED** without prejudice for failure to pay the filing fee or file an application to proceed *in forma pauperis*.

DATED: March 7, 2022

UNITED STATES MAGISTRATE JUDGE